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1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

MAIN COMMITTEE I

SUMMARY RECORD OF THE 1st MEETING

Held at United Nations Headquarters, New York, on Wednesday, 19 April 1995, at 10 a.m.

Chairman: Mr. AYEWAH (Nigeria)

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The meeting was called to order at 10.45 a.m.

PROGRAMME OF WORK

1. The CHAIRMAN expressed the hope that the Committee, as a group of technocrats, diplomats and experts, would be able to work in a constructive, dispassionate, objective and flexible manner and leave the discussion of political issues to the plenary meetings. It would be the purpose of the Committee to give consistency to the import of the Treaty on the Non-Proliferation of Nuclear Weapons and to seek to strengthen it in anticipation of the new life which all hoped would be conferred on it. If the Treaty failed to take account of the legitimate security aspirations of both the nuclear-weapon and the non-nuclear-weapon States, it would be a defective instrument in promoting the global non-proliferation norm.

2. The Committee would endeavour to review the implementation of the Treaty in all candour and objectivity, and it would then try to relate it to the expectations of States parties and make recommendations on action to be taken in order to strengthen the Treaty and its regime, as it entered a new phase of its life. The issues, which might be complex and at times contentious, would relate, inter alia, to the lateral transfer or acquisition of nuclear weapons, nuclear materials and related technology for weapons purposes; qualitative improvements of such weapons and their vectors; efforts at nuclear disarmament, including relevant negotiations leading thereto; security assurances; and cooperation in the peaceful uses of nuclear energy. The Committee should approach its work in a spirit of cooperative endeavour since its members shared a common interest in the survival of the Treaty.

3. He drew attention to the items allocated to the Committee for review, as provided for in article VIII, paragraph 3, of the Treaty, which were set out in annex V to the final report of the Preparatory Committee (NPT/CONF.1995/1). He noted that both Main Committee I and Main Committee II would be dealing with article VII; some coordination between the two would therefore be required. Main Committee I was asked to concentrate on the aspects of the article related to non-proliferation, disarmament and international security.

4. He suggested that the work of the Committee should be divided into three phases: first, a general exchange of views and the introduction of any proposals by delegations; second, a more in-depth review, taking the various provisions of the Treaty assigned to the Committee one by one; and third, consideration of the report to the Drafting Committee, which was to be submitted by Friday, 5 May. He further suggested that, to make the best use of the time available, a working group might be established to examine the issue of security assurances, as well as the aforementioned aspects of article VII. A provisional programme of work had been circulated. Lastly, he pointed out that summary records would be provided only for the formal open meetings of the Main Committee.

5. Sir Michael WESTON (United Kingdom) said that his delegation had some reservations regarding the advisability of having meetings open to

non-governmental organizations and the press. That would not necessarily be conducive to the full and frank exchange that was desirable and it might lead to polemical discussions which would be better avoided, given the limited time available for the Committee's work. He wondered what practice would be adopted in that respect by the other Main Committees and would welcome any clarification from the President of the Conference or from the Chairman.

6. Mr. KAREM (Egypt) requested additional clarification regarding the way in which the consideration of matters pertaining to article VII would be divided between Main Committee I and Main Committee II. His delegation was particularly interested in that subject, especially the question of regional arrangements regarding nuclear-free zones.

7. The CHAIRMAN said that, at the current stage of the Committee's work, it would be difficult to define the precise division of work between the two Main Committees with regard to article VII. He would, however, clarify the issue as soon as possible.

8. In reply to the question raised by the representative of the United Kingdom, he said that the issue was being considered by the President of the Conference, who would shortly produce specific recommendations.

9. Mr. EFFENDI (Indonesia) expressed support for the programme of work as set out by the Chairman.

10. The CHAIRMAN said he took it that the Committee wished to adopt the programme of work.

11. It was so decided.

GENERAL EXCHANGE OF VIEWS

12. Mr. HOFFMANN (Germany) said that, despite laudable efforts, the need for further nuclear disarmament was undeniable. His delegation would continue to urge further energetic steps in that direction, since it attached great importance to maintaining the credibility of the goal of complete nuclear disarmament. In that connection, he welcomed the recent declaration by four of the nuclear-weapon States that they were prepared to live up to their commitments under article VI of the Treaty and he hoped that declaration would be reflected in the final document of the Conference.

13. Now that the cessation of the arms race had been achieved, the next task was to reduce the levels of nuclear forces as quickly, safely, securely and transparently as possible. His delegation welcomed the declarations by the nuclear-weapon States regarding security guarantees for non-nuclear-weapon States. In that connection, the adoption by the Security Council of resolution 984 (1995) represented an important step forward.

14. His Government favoured the indefinite and unconditional extension of the Treaty. Germany had long since renounced all kinds of weapons of mass destruction and had demonstrated that it had not resulted in any disadvantage in competing with others in the international arena.

15. The issue of the extension of the Treaty should not be used as a lever to press for nuclear disarmament. There was no acceptable alternative to cooperative threat reduction based on universal treaty regimes such as the non-proliferation Treaty. In the absence of customary international law banning the acquisition of nuclear weapons, the Treaty gave non-nuclear-weapon States the assurance that their neighbours could not pursue nuclear-weapons ambitions. It would be unwise to gamble with the Treaty by adding conditions regarding its extension. His delegation was ready to join ranks with the non-nuclear-weapon States represented at the Conference to insist, with pragmatic perseverance, on the implementation of all contractual obligations.

16. Mr. STARR (Australia) said that it was important to recognize that all States derived major benefits from, and had major interests at stake in, the continued success of the non-proliferation Treaty. It should be the aim of the Conference to make decisions which would allow the Treaty to operate more effectively so that it could continue to meet its objectives in the face of future challenges. The key objectives most relevant to the work of the Committee should be to reconfirm, and establish irrevocably for the future, nuclear non-proliferation as the standard for international behaviour; to continue and accelerate the progress which was being made towards eventual nuclear disarmament; and to achieve universal membership of the Treaty.

17. With regard to articles I and II and the first three preambular paragraphs of the Treaty, he said it was imperative that all States parties should comply scrupulously with their basic obligations. His delegation would welcome a reaffirmation by the nuclear-weapon States that their nuclear cooperation was, and would be at all times, consistent with article I. With reference to article II, recent instances of non-compliance by certain non-nuclear-weapon States had clearly underlined the need to strengthen the verification provisions of the Treaty. He would expect that to be a principle issue discussed in Main Committee II.

18. With regard to article VI and the eighth to twelfth preambular paragraphs of the Treaty, he said it was clear that the nuclear arms race had now been reversed, and that nuclear disarmament of historic proportions was under way. The United States and the Russian Federation were each destroying about 2,000 nuclear weapons a year; several States previously belonging to the former Union of Soviet Socialist Republics had achieved non-nuclear-weapon status; and a number of nuclear-weapon States had taken unilateral decisions to dismantle considerable quantities of weapons.

19. A comprehensive test-ban treaty was now attainable. His Government intended to be an original signatory to that treaty which, by preventing the development and deployment of new generations of advanced nuclear weapons, would represent an important step towards global security. The negotiations for such a treaty had produced an advanced draft which reflected a new convergence on a number of key issues. The outstanding questions facing negotiators were well defined and, although there was still a considerable amount of work to be done, the conclusion of the new treaty was within reach.

20. With regard to security assurances, the recent adoption by consensus of Security Council resolution 984 (1995) represented a significant advance,

establishing strengthened international expectations and norms against the use or threat of use of nuclear weapons in respect of non-nuclear-weapon States. It should also be recalled that security assurances could be pursued and entrenched by means of regional nuclear-weapon-free zones, such as those established under the South Pacific Nuclear-Free-Zone Treaty or the Treaty of Tlatelolco. He also welcomed the fact that the Conference on Disarmament had agreed to establish a negotiating committee on the cessation of the production of fissile material for explosive purposes.

21. The non-proliferation Treaty had thus played a vital role in creating the conditions of confidence about non-proliferation that had allowed nuclear disarmament to proceed. Australia, however, shared the disappointment of many non-nuclear-weapon States that more progress had not been possible under article VI during the cold war.

22. It would like to see in the final document a strong endorsement of the objective of further progress in nuclear disarmament and a clear statement from the five nuclear-weapon States about the future of the nuclear disarmament process which would reaffirm the ultimate goal of nuclear disarmament. In that context, the recent reaffirmation by the five nuclear-weapon States of their commitment to pursue negotiations on effective measures relating to nuclear disarmament was welcome. The final document should also contain the firmest appeal to those few States which had so far not become parties to the Treaty to reconsider their position. In the view of his delegation, the act that would best convince those outside the Treaty that there were sound reasons for acceding to it would undoubtedly be the indefinite extension of the Treaty.

23. It was of the utmost importance that the United States and the Russian Federation should move towards a START III agreement, and that the three other nuclear-weapon States should join in the formal negotiating process for disarmament at an early opportunity. The best way to provide such an impetus was to ensure a climate in which there were strong assurances against proliferation. A world free of nuclear weapons was not conceivable in the absence of universal membership of the non-proliferation Treaty and complete and permanent assurances of non-proliferation.

24. Mr. MARIN BOSCH (Mexico) said that the decision on whether to extend the non-proliferation Treaty would flow naturally from the discussions to be held during the course of the Conference. In the view of his delegation, the Conference was already a success by the mere fact of its having been convened; an atmosphere had been created that would encourage intensified debate on a number of issues pertaining to nuclear disarmament and the non-proliferation of nuclear weapons in general. The world situation in 1995 was very different from the one prevailing in 1990, when the fourth review conference had been held. In Latin America and the Caribbean, for example, the atmosphere was now much more propitious for a total prohibition of nuclear weapons. Changes in the international scene, in particular the geopolitical and military situation resulting from the end of the cold war, had led to the START I and START II Treaties. It was to be hoped that further reductions in nuclear weapons would be made possible by a START III treaty.

25. The convening of the current Conference had had a beneficial effect on certain disarmament negotiations, such as the talks on a comprehensive test-ban treaty held recently in Geneva. It was encouraging to note the willingness of the five nuclear Powers to offer security assurances, as evidenced by the adoption of Security Council resolution 984 (1995). A move had also been made to establish a committee to conduct negotiations to prohibit the production of fissile material for military purposes.

26. The task now facing Main Committee I was to find a formula that would reflect a collective appreciation of the meaning of the provisions of the Treaty allocated to it for review, especially article VI and the preambular paragraphs relating to disarmament.

27. Sir Michael WESTON (United Kingdom) said that the United Kingdom took its non-proliferation obligations under article I of the Treaty very seriously and had fully complied with them. His Government had also advocated and supported a number of actions taken by the international community in order to ensure compliance with article II, including action in respect of Iraq and the Democratic People's Republic of Korea.

28. It welcomed the cessation of the nuclear arms race and the progress made towards nuclear disarmament, including the dramatic reductions in United States and Russian nuclear arsenals, most recently those agreed under the START I and START II Treaties. The United Kingdom had always maintained its nuclear forces at a minimum level and, in recent years, had adjusted its nuclear arsenal to reflect the improvements in the international security environment. As a result, by the end of the 1990s, the total number of warheads in the United Kingdom stockpile would be 21 per cent lower than it had been in the 1970s, and the total explosive power of those warheads would be 59 per cent lower than in the 1970s. The total number of operational warheads in the stockpile would be 30 per cent less than in the 1970s, and the total explosive power of those warheads would be 63 per cent lower than in the 1970s. The United Kingdom had therefore already contributed directly to reductions in nuclear forces and was continuing to do so. A world in which United States and Russian nuclear forces were numbered in the hundreds rather than the thousands would be one in which his Government would respond to the challenge of multilateral nuclear arms control talks.

29. The United Kingdom was strongly in favour of concluding a comprehensive test-ban treaty and was playing a full and active role in the negotiations which had begun in Geneva in January 1994. His Government had recently agreed that there should be no exemption for "tests in exceptional circumstances", the so-called "safety tests".

30. His Government had welcomed the recent agreement, at the Conference on Disarmament, to establish an ad hoc committee to negotiate a treaty banning the production of fissile material for nuclear weapons or for other nuclear explosive devices. As a demonstration of his Government's commitment to those negotiations, the Secretary of State of the United Kingdom had announced recently that the country had ceased the production of fissile material for explosive purposes.

31. The United Kingdom had played an active part in initiating and elaborating Security Council resolution 984 (1995) on security assurances. It had also supported many other measures which contributed to the goal of general and complete disarmament. It had taken the original initiative which had ultimately led to the conclusion of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and fully supported recent efforts to strengthen it. It had also played an active part in the negotiations on the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. At the regional level, the United Kingdom had consistently sought verifiable reductions in conventional arms in Europe, and had played a full part in the negotiations which had led to the Treaty on Conventional Armed Forces in Europe.

32. The United Kingdom was thus fully committed to practical disarmament and non-proliferation measures, including negotiations in good faith on effective measures relating to nuclear disarmament, which remained its ultimate goal. If the world community was to build further on the momentum created by recent disarmament successes, it must ensure that the essential framework of stability and predictability provided by the Treaty was made permanent.

33. Mr. FRIEDRICH (Switzerland) pointed out that questions concerning the implementation of the provisions of the non-proliferation Treaty relating to nuclear disarmament and security assurances were the main issues preventing the Governments of many countries, including his own, from readily endorsing the idea of an unconditional and indefinite extension of the Treaty. It was therefore of the utmost importance that the Committee should conduct a comprehensive analysis of the current situation and that its conclusions should be reflected clearly and in detail in its report, as well as in the final document of the Conference. In the view of his delegation, non-proliferation was not an end in itself; it should be accompanied by the elimination of all weapons of mass destruction.

34. His country attached very high priority to the reduction of existing arsenals to the lowest possible level. In accepting an indefinite extension of the Treaty, Switzerland was placing its trust in the nuclear-weapon States, assuming that they would move with determination, and without concern for their own national prestige, towards nuclear disarmament.

35. The provisions of article VI had not been met. The number of warheads in the possession of the nuclear-weapon States had increased considerably over the years, and it had not been until the end of the cold war that two of those States had finally agreed to substantial reductions in their arsenals. Even so, the number of warheads remained almost the same as 25 years earlier; moreover, the current warheads were more efficient. His delegation hoped that by the next review conference, in the year 2000, all five nuclear-weapon States would agree on a schedule for substantially reducing their arsenals. Moreover, at the present Conference, all the States parties to the Treaty should reaffirm their commitment to the total elimination, within a specific time-frame, of all weapons of mass destruction.

36. The dismantling of nuclear weapons should be carried out with due regard for the environment. The fissile materials thus obtained must be placed under international controls and must never be used to manufacture new weapons. The production of fissile material for nuclear explosive purposes must be stopped. His delegation welcomed the establishment by the Conference on Disarmament of a committee to deal with that matter and hoped that its work would be successful. His Government had stated its position in favour of an indefinite extension of the Treaty in the strong hope that, by the next review conference, a treaty on the cessation of the production of fissile material for explosive purposes would be in force.

37. His delegation was pleased to note that negotiations on a comprehensive test-ban treaty had finally begun in the Conference on Disarmament. His Government was disappointed that agreement had not been reached on the essential elements of such a treaty before the current Conference. The idea of providing for exceptions to the principle of a comprehensive test ban was incompatible with the spirit of article VI of the non-proliferation Treaty. Any exception would have a negative impact on the environment and would cast doubt on the determination to ensure a permanent halt to experimental nuclear explosions.

38. The issue of security assurances was another area in which the non-nuclear-weapon States still had some concerns. The nuclear-weapon States should undertake, in a legally binding multilateral treaty, never to use or threaten to use nuclear weapons against non-nuclear-weapon States which had renounced the use of nuclear weapons. Security Council resolution 984 (1995) represented a positive step in that direction.

39. Mr. SCHEINMAN (United States of America), referring to articles I and II and the first three preambular paragraphs of the Treaty, said that the Committee should bear in mind that the five nuclear-weapon States were now all parties to the non-proliferation Treaty; that the Treaty had proved its value in providing assurances to all States that their neighbours were not seeking to acquire nuclear weapons; and that there was near-universal support for the norm of non-proliferation. Efforts to secure universal accession to the Treaty should be encouraged, and States should be discouraged from pursuing nuclear weapons capabilities. Violations of the Treaty should be expressly condemned, and emphasis should be placed on the need for a strong international response to evidence of violations. The parties to the Treaty should express concern about the serious threat posed by nuclear proliferation, and about all States which remained outside the Treaty and not subject to comprehensive safeguards agreements.

40. With regard to article VI and the eighth to twelfth preambular paragraphs, he said that, with the end of the cold war, the climate for arms control and disarmament had never been better. The role of nuclear weapons in United States national security strategy had never been lower. The United States took its commitments under article VI very seriously. Not only had it compiled a strong record of accomplishments in that regard, but it had reaffirmed its commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remained its ultimate goal.

41. The United States was dismantling up to 2,000 nuclear weapons per year. Since 1988, it had reduced defence expenditures for strategic nuclear weapons by almost two thirds, cut military personnel performing duties with strategic nuclear forces by a similar amount, and reduced its active strategic nuclear stockpile by nearly 60 per cent, and its non-strategic nuclear stockpile by 90 per cent. By the year 2003, with the implementation of the START II Treaty, the United States would have reduced its total nuclear forces by 80 per cent. The United States had not tested a nuclear weapon in almost three years. His Government was fully committed to the negotiation of a comprehensive test-ban treaty and was determined to complete that treaty at the earliest possible time. In fact, it was prepared to conclude that it had already conducted its last nuclear test.

42. The United States had ceased the production of fissile material for nuclear explosive purposes and had already removed massive amounts of nuclear material from its military stockpile. It had recently committed itself to removing 200 metric tons of fissile material from its nuclear stockpile and some material excess to weapons needs had been submitted to International Atomic Energy Agency (IAEA) safeguards. The United States actively supported negotiations on a fissile-material cut-off convention, and welcomed the establishment in the Conference on Disarmament of an ad hoc committee to conduct negotiations to that end.

43. The United States was not manufacturing new nuclear weapons and had halted research and development of third-generation weapons. Its nuclear weapons were not targeted against any country and United States bombers no longer stood on day-to-day alert. His Government had also reaffirmed long-standing policies on negative and positive security assurances for non-nuclear-weapon States which were parties to the Treaty, as evidenced by Security Council resolution 984 (1995).

44. In short, there had been overwhelming success in satisfying the undertakings given under article VI. Progress had been achieved not only in nuclear disarmament, but also in bilateral and multilateral agreements on other weapons of mass destruction, most notably chemical weapons.

45. The foregoing list of accomplishments underscored the direction in which the United States was heading. Its commitment to complete the journey was unwavering. However, fulfilment of article VI was the responsibility of all parties, and all must do their part to achieve arms limits and other measures to ease regional tensions and arms competition. It was important that the Conference should acknowledge the contribution that the arms control efforts of the nuclear-weapon States had made to a strong non-proliferation regime, as well as the importance of a strong non-proliferation regime to further nuclear reductions.

46. On the question of security assurances, the United States had always recognized the importance of addressing the special needs of non-nuclear-weapon States parties to the non-proliferation Treaty for assurances that would alleviate their legitimate security concerns. Substantial progress had been made and the Conference should welcome the recent unanimous adoption of Security

Council resolution 984 (1995), which took note of the national declarations by the five nuclear-weapon States on security assurances.

47. In conclusion, he reiterated the importance of the non-proliferation Treaty and the need for its indefinite extension without conditions. The Treaty established the only international, legally-binding obligation on the nuclear-weapon States to work towards eventually laying down their arms and it provided the stable climate in which the nuclear-weapon States could continue that process. A world without a permanent non-proliferation Treaty would not provide a climate conducive to future progress.

The meeting rose at 12.10 p.m.